

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

IN RE: Yvonne Manuel

(Debtor)

CASE NO.: 16-31281

JUDGE: _____

CHAPTER: 13

CHAPTER 13 PLAN AND MOTIONS

 Original X Modified/ Notice Required X Discharge Sought
 Motion Included Modified/No Notice No Discharge Sought
 Required

Date: _____

THE DEBTOR HAS FILED FOR RELIEF UNDER CHAPTER 13
OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate Notice of the Hearing on Confirmation of Plan, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

PART 1. PAYMENT AND LENGTH OF PLAN

a. The Debtor had paid \$1098.68 and shall pay \$200.00 per month 31 months to the Chapter 13 Trustee for approximately 36 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

 Future Earnings

 Other sources of funding (describe source, amount and date when funds are available) _____

- _____ Sale following assets _____ on or before _____

- _____ Refinance following assets _____ on or before _____

- _____ Loan Modification with respect to mortgage encumbering the
following property _____ on or before _____

- refinance or loan modification

- length of the plan.

ADEQUATE PROTECTION

- a. Adequate protection payments will be made in the amount of \$_____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

- b. Adequate protection payments will be made in the amount of \$_____ to be paid directly by the debtor outside, pre-confirmation to _____ (creditor).

PRIORITY CLAIMS (INCLUDING ADMINISTRATIVE EXPENSES)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

<u>Creditor</u>	<u>Type of Priority</u>	<u>Amount to be Paid</u>
The Law Office of Peter E. Zimnis, Esquire	Administrative	\$2250.00
Albert Russo, Trustee	Administrative	\$

SECURED CLAIMS

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

<u>Creditor</u>	<u>Collateral or Type of Debt</u>	<u>Arrearage</u>	<u>Interest Rate on Arrearage</u>	<u>Amount to be Paid to Creditor (In Plan)</u>	<u>Regular Monthly Payment (Outside Plan)</u>
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<u>Regional Acceptance</u>	<u>Mitsubishi</u>	<u>Current</u>		<u>\$0.00</u>	<u>Debtor to maintain post petition payments on all secured debts listed in this subsection</u>
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b. Modification

- 1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the “Value of the Creditor Interest in Collateral” plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having “NO VALUE” it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRE the appropriate motion to be filed under Section 7 of the Plan

<u>Creditor</u>	<u>Collateral</u>	<u>Scheduled Debt</u>	<u>Total Collateral Value</u>	<u>Superior Liens</u>	<u>Value of Creditor Interest in Collateral</u>	<u>Annual Interest Rate</u>	<u>Total Amount to Be Paid</u>

- 2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

<u>Creditor</u>	<u>Collateral to be Surrendered</u>	<u>Value of Surrendered Collateral</u>	<u>Remaining Unsecured Debt</u>
Penny Mac	Residence	Unknown	Unknown

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan: _____

e. Secured Claims to be paid in full through the plan:

<u>Creditor</u>	<u>Collateral</u>	<u>Total Amount to be paid through the plan</u>	

Part 5. **UNSECURED CLAIMS**

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

_____ Not less than \$ _____ to be distributed *pro rata*

_____ Not less than _____ percent of allowed proof of claims

X Pro rata distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

<u>Creditor</u>	<u>Basis for Separate Classification</u>	<u>Treatment</u>	<u>Amount to be Paid</u>

PART 6. **EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

All executory contracts and unexpired leases are rejected, **except** the following, which are **assumed**:

<u>Creditor</u>	<u>Nature of Contract or Lease</u>	<u>Treatment by Debtor</u>

PART 7. **MOTIONS**

NOTE: All plans containing motions must be served on all potentially affected creditors, together with a Chapter 13 Plan Transmittal Letter, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Proof of Service must be filed with the Clerk of Court when the Plan and Transmittal Letter are served

Where a motion to avoid liens or partially avoid liens has been filed in the plan, a proof of claim filed that asserts a secured claim that is greater than the amount to be paid in the plan serves as opposition to the motion, and serves as an objection to confirmation. The proof of claim shall be served in accordance with D.N.J. LBR 3015-6(a). The creditor shall file a proof of service prior to the scheduled confirmation hearing. In order to prosecute the objection, the creditor must appear at the confirmation hearing, which shall be the hearing on the motion. Failure to appear to prosecute the objection may result in the motion being granted and the plan confirmed pursuant to the terms as set forth in the plan.

a. **Motion to Avoid Liens under 11 U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

<u>Creditor</u>	<u>Nature of Collateral</u>	<u>Type of Lien</u>	<u>Amount of Lien</u>	<u>Value of Collateral</u>	<u>Amount of Claimed Exemption</u>	<u>Sum of All Other Liens Against the Property</u>	<u>Amount of Lien to be Avoided</u>

b. **Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

<u>Creditor</u>	<u>Collateral</u>	<u>Amount of Lien to be Reclassified</u>

c. **Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

<u>Creditor</u>	<u>Collateral</u>	<u>Amount to be Deemed Secured</u>	<u>Amount to be Reclassified as Unsecured</u>

PART 8. **OTHER PLAN PROVISIONS**

a. **Vesting of Property of the Estate**

 X Upon Confirmation

 Upon Discharge

b. **Payment Notices**

Creditors and Lessors provided for in Sections 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. **Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions/Debtor's counsel
- 2) DSO (if applicable)
- 3) Secured Claims
- 4) Priority claims
- 5) General Unsecured claims

d. **Post-petition claims**

The Trustee is X is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

PART 9. **MODIFICATION**

If this plan modifies a plan previously filed in this case, complete the information below.

Date of plan being modified: _____

Explain below why the plan is being modified Debtor will now surrender the house

Explain below how the plan is being modified House is moved from part 4A to part 4C.
Amended budget to be filed after debtor relocates.

Are schedules I and J being filed simultaneously with this plan? ____ yes ____ C no

PART 10

SIGN HERE

The Law Office of Peter E. Zimnis

Date _____

/s/ Peter E. Zimnis
Attorney for the Debtor

I hereby certify under penalty of perjury that the foregoing is true and correct.

Date _____

/s/ Yvonne Manuel
Debtor

Date _____

/s/
Joint Debtor (if any)

Certificate of Notice Page 7 of 8
 United States Bankruptcy Court
 District of New Jersey

In re:
 Yvonne Manuel
 Debtor

Case No. 16-31281-KCF
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 36

Date Rcvd: Jun 01, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 03, 2017.

db
 516486571 +Yvonne Manuel, 319 Berg Avenue, Hamilton, NJ 08610-4907
 516486572 +Alltran Financial, PO Box 610, Re: Credit One; LVNV, Sauk Rapids, MN 56379-0610
 516701488 +Avenue, PO Box 659584, San Antonio, TX 78265-9584
 +Bank of America, N.A., c/o PennyMac Loan Services, LLC, 6101 Condor Drive, Suite 200, Moorpark, CA 93021-2602
 516486573 +Brylane Home, PO Box 659728, San Antonio, TX 78265-9728
 516486574 +Capital One, PO Box 30285, Salt Lake City, UT 84130-0285
 516486575 +Client Services, Inc., Re: Capital One, 3451 Harry Truman Blvd, Saint Charles, MO 63301-4047
 516486576 +Comenity Capital (Avenue), PO Box 182120, Columbus, OH 43218-2120
 516486577 +Convergent, Re: Dish Network, 800 SW 39th St, PO Box 9004, Renton, WA 98057-9004
 516486578 +Credence Resource Mngmt, PO Box 2147, Re: T Mobile, Southgate, MI 48195-4147
 516486582 +Kivitz McKeever Lee, 701 Market Street, Suite 5000, Re: Penny Mac, Philadelphia, PA 19106-1541
 516705111 +PSE&G, PO Box 14444, New Brunswick, NJ 08906-4444, Attn: Bankruptcy
 516486585 +Penny Mac, PO Box 514387, Los Angeles, CA 90051-4387
 516486588 #+Stellar Recovery, 1327 Hwy 2 West, Suite 100, Re: Dish Network, Kalispell, MT 59901-3413
 516486589 ++T MOBILE, C O AMERICAN INFOSOURCE LP, 4515 N SANTA FE AVE, OKLAHOMA CITY OK 73118-7901 (address filed with court: T-Mobile, PO Box 742596, Cincinnati, OH 45274)
 516594515 Wells Fargo Bank N.A., d/b/a Wells Fargo Dealer Services, PO Box 19657, Irvine, CA 92623-9657
 516486592 +Wells Fargo Dealer Services, PO Box 25341, Santa Ana, CA 92799-5341

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. smg

Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534 U.S. Attorney, 970 Broad St.,
 smg +E-mail/Text: ustpreregion03.ne.ecf@usdoj.gov Jun 01 2017 22:54:51 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
 516509559 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jun 01 2017 22:57:30
 American InfoSource LP as agent for, T Mobile/T-Mobile USA Inc, PO Box 248848, Oklahoma City, OK 73124-8848
 516486580 +E-mail/Text: bankruptcy_notifications@ccsusa.com Jun 01 2017 22:55:44
 Credit Collection Services, Re: Personal Service Insurance Co., Two Wells Avenue, Newton Center, MA 02459-3225
 516486579 +E-mail/Text: bankruptcy_notifications@ccsusa.com Jun 01 2017 22:55:44
 Credit Collection Services, Re: Geico, Two Wells Avenue, Newton Center, MA 02459-3225
 516486581 +E-mail/PDF: creditonebknofications@resurgent.com Jun 01 2017 22:50:58 Credit One Bank,
 PO Box 98873, Las Vegas, NV 89193-8873
 516486583 +E-mail/PDF: resurgentbknofications@resurgent.com Jun 01 2017 22:51:01 LVNV Funding,
 Re: Credit One, PO Box 10497, Greenville, SC 29603-0497
 516589727 E-mail/PDF: resurgentbknofications@resurgent.com Jun 01 2017 22:51:01
 LVNV Funding, LLC its successors and assigns as, assignee of FNBK, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 516537068 +E-mail/PDF: cbp@onemainfinancial.com Jun 01 2017 22:51:19 ONEMAIN, 605 MUNN ROAD,
 FT. MILL, SC 29715-8421
 516486584 +E-mail/PDF: cbp@onemainfinancial.com Jun 01 2017 22:51:07 One Main Financial,
 PO Box 183172, Columbus, OH 43218-3172
 516778684 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 01 2017 23:08:54
 Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541
 516778685 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 01 2017 22:57:20
 Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541,
 Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541
 516702324 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 01 2017 23:08:55
 Portfolio Recovery Associates, LLC, c/o Household Bank, POB 41067, Norfolk VA 23541
 516486586 +E-mail/Text: bankruptcy@pseg.com Jun 01 2017 22:54:04 PSE&G, Re: 66 182 574 09,
 PO Box 490, Cranford, NJ 07016-0490
 516504342 E-mail/Text: bnc-quantum@quantum3group.com Jun 01 2017 22:54:45
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 516486587 +E-mail/Text: bankruptcy@sw-credit.com Jun 01 2017 22:54:56 Southwest Credit Systems,
 Re: T-Mobile, 4120 International Pkwy, Suite 1100, Carrollton, TX 75007-1958
 516486591 E-mail/Text: tidewaterlegalebn@twcs.com Jun 01 2017 22:54:24 Tidewater Finance Co.,
 6520 Indian River Road, Virginia Beach, VA 23464
 516515133 E-mail/Text: tidewaterlegalebn@twcs.com Jun 01 2017 22:54:24 Tidewater Finance Company,
 PO Box 13306, Chesapeake, VA 23325
 516486590 +E-mail/Text: tidewaterlegalebn@twcs.com Jun 01 2017 22:54:24 Tidewater Credit Services,
 PO Box 17308, Baltimore, MD 21297-1308

TOTAL: 19

District/off: 0312-3

User: admin
Form ID: pdf901

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Total Noticed: 36

Date Rcvd: Jun 01, 2017

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516486570 ##+Allied Interstate, Re: Dish Network, PO Box 4000, Warrenton, VA 20188-4000
TOTALS: 0, * 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 03, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 29, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
John Zimnis on behalf of Debtor Yvonne Manuel njbankruptcyaw@aol.com.
William M.E. Powers on behalf of Creditor PennyMac Loan Services, LLC as servicing agent for
Bank of America, N.A. ecf@powerskirn.com
William M.E. Powers on behalf of Creditor BANK OF AMERICA, N.A ecf@powerskirn.com
William M.E. Powers, III on behalf of Creditor PennyMac Loan Services, LLC as servicing agent
for Bank of America, N.A. ecf@powerskirn.com

TOTAL: 6